

## REMARKS

The Office Action of May 23, 2007 was received and reviewed. The Examiner is thanked for reviewing this application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-37 were pending in this application prior to the final office action. By this amendment, claims 2 and 3 are amended. Thus, claims 1-37 are now pending with claims 1-3, 24 and 31 being independent.

In the Office Action, the Examiner has rejected claims 2, 3 and 24 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, the Examiner asserts that claims 2, 3 and 24 recite “wherein the plasma generation unit is arranged linearly in one line or a plurality of lines,” which is indefinite, since the limitation would be relevant only for plasma generating unit with electrodes disposed in a plurality of opposed rows. However, line 2 of the claim recites “a plasma generation unit(s) comprising a first electrode and a plurality of second electrodes opposed to first electrode,” implying that linear arrangement can only pertain to the plurality of second electrodes not to the plasma generation unit. In response, Applicant has amended claims 2 and 3 to recite, among other things, the features of “wherein the plurality of second electrodes are arranged linearly.” However, it is noted that claim 24 recites, among other things, the features of “a plurality of plasma generation units each comprising a first electrode and a plurality of second electrodes ... wherein the plurality of plasma generation units are arranged linearly in one line or a plurality of lines” and Applicant contends that this limitation when interpreted as defined by the claims is clear. (See, for example, Fig. 5E in the present application). Thus, Applicant respectfully requests that the 112 rejection be withdrawn.

In addition, claims 1, 7, 10, 13, 16, 19 and 31-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 01/27969 (equivalent to U.S. Patent No. 6,827,870) to Gianchandani et al. (Gianchandani). Further, claims 2-6, 8, 9, 11, 12, 14, 15, 17, 18, 20-23 and 37 stand rejected under 35 U.S.C. § 103(a) as being obvious over Gianchandani in view of U.S. Patent

No. 6,777,880 to Morfill et al. (Morfill). Finally, claims 24-30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Gianchandani. These rejections are respectfully traversed at least for the reasons provided below.

With respect to independent claims 1-3, 24 and 31 and Applicant's previous response of March 12, 2007, herein incorporated by reference, the Examiner asserts that "Gianchandani et al. teach gas from gas source 13 is introduced (blown) between substrate 17 (like first electrode) and second electrodes 51, 52 and wherein plasma is generated. Gianchandani et al. also teach plasma is generated within openings 24 in dielectric plate 24 by dissociation of gas blown therein between substrate 17 and second electrode 26. Thus, Gianchandani et al. teach blowing a process gas into a space between the first and plurality of second electrodes as per claim limitations." (See, page 2 last paragraph to page 3 of Office Action).

However, even if for the sake of argument, Gianchandani discloses to fill the gas in the vacuum chamber enclosure 11, Gianchandani does not teach or suggest the features of "a gas supply unit for blowing a process gas into a space between the first electrode and the plurality of second electrodes," as presently claimed. (See, for example, FIG. 2A and paragraph [0044] of published application). The Examiner asserts "plasma is generated within openings 24 in dielectric plate 24 by dissociation of gas blown therein between substrate 17 and second electrode 26. Thus, Gianchandani et al. teach blowing a process gas into a space between the first and plurality of second electrodes." However, Applicant does not argue that Gianchandani may teach that the gas is supplied (that is, the gas is filled) between the first and second electrodes, so the plasma is obviously generated if the gas is supplied. The phenomenon in which the plasma is generated with openings is not the point at issue. The point at issue is that the gas of Gianchandani is not blown between the first and second electrodes, as claimed.

Thus, Applicant respectfully requests that the Examiner clearly show grounds that Gianchandani teaches gas from a gas source 13 is introduced (**blown**) between substrate 17 (like first electrode) and second electrodes 51, 52 by citing a portion of the specification or a part of the figure(s) which teaches or suggests such a feature. Again, it appears that Gianchandani in

FIGS. 1 and 3 only discloses filling vacuum chamber 11 by gas source 13 but is silent with regard to blowing a gas between the region beneath electrode segments 51 and 52 and above substrate 17, as shown in FIG. 3. For anticipation under 35 U.S.C. § 102 the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present (M.P.E.P. 706.02). Since each and every element, as set forth in the claim, is not found either expressly or inherently described as required by the M.P.E.P., Gianchandani cannot be said to anticipate the present invention as claimed. Therefore, Applicants believe that claims 1-3, 24 and 31 are distinguishable over Gianchandani.

The Examiner relies on Morfill to teach grid sizes of electrodes. However, Morfill does not overcome the deficiencies of Gianchandani, as discussed above. Therefore, Applicant contends that it cannot be said that Gianchandani, taken alone or in combination with Morfill, makes obvious the present invention, as claimed. Accordingly, Applicant respectfully submits that independent claims 1-3, 24 and 31 are allowable as discussed previously. Further, any claim that depends from an allowable claim is allowable as well. Thus, Applicant respectfully requests that the rejection of all remaining dependent claims likewise be removed.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejections under 35 U.S.C. §§112, 102 and 103 the present amendment places the application in better form for consideration on appeal. It is therefore respectfully requested that 37 C.F.R. §1.116 be liberally construed, and that the present amendment be entered.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. If, however, the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned agent to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

/Sean A. Pryor, Reg. # 48103/  
Sean A. Pryor

**NIXON PEABODY LLP**  
CUSTOMER NO.: 22204  
Suite 900, 401 9<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-2128  
(202) 585-8000